

THE CITY OF NEW YORK  
**LAW DEPARTMENT**

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October 16, 2023

**VIA ECF**

The Honorable Arun Subramanian  
United States District Judge  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007


Re: Labombard v. Harrell, et al., 22 Civ. 2196 (AS)

Your Honor:

I respectfully write to advise Your Honor that the above-referenced action has settled as between the City of New York and plaintiff.<sup>1</sup> As such, [the City of New York requests an adjournment \*sine die\* of all its outstanding deadlines and appearances in this matter.](#) The Stipulation of Settlement and Order of Dismissal will be submitted to the Court as soon as it is executed with the settlement paperwork, which the parties expect to complete shortly after plaintiff's counsel returns from abroad on October 18, 2023.

The parties thank the Court for its attention to this matter.

Respectfully Submitted,

  
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Luca Difronzo  
Attorney for the City of New York  
*Assistant Corporation Counsel*

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<sup>1</sup> This settlement does not include codefendant Brian Harrel, who, upon information and belief, will be continuing in this case *pro se*.

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**CC: VIA ECF**

Vik Pawar, *pro bono* counsel for plaintiff

SO ORDERED.

Plaintiff failed to file a motion for default judgment as it relates to defendant Brian Harrell by October 10, as this Court previously ordered. Dkt. 90. On or before October 25, plaintiff should file a letter updating the Court on the status of this action, including:

1. Whether the unnamed defendants should be dismissed. If plaintiff does not wish to dismiss these defendants, plaintiff should explain whether it has made any effort to identify these defendants thus far, and how it will identify them if this action proceeds.
2. Whether the action should be dismissed as against defendant Brian Harrell, given plaintiff's failure to move for default judgment.



Arun Subramanian, U.S.D.J.  
Date: October 17, 2023